

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11

12 KAROL JUSKIEWICZ, on behalf of herself
13 and all others similarly situated,

14 Plaintiff,
15 v.

16 INTEL CORPORATION, a Delaware
17 corporation,

Defendant.

No. C-05-3094-MHP

STIPULATION AND [PROPOSED]
ORDER TO STAY DATES, EVENTS
AND DEADLINES PENDING THE
OUTCOME OF THE MOTION TO
TRANSFER AND COORDINATE OR
CONSOLIDATE PURSUANT TO
28 U.S.C. § 1407

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19 WHEREAS, on July 28, 2005, Plaintiff filed the instant action in the Northern
20 District of California ("Juskiewicz Action");

21 WHEREAS, on or about July 11, 2005, the plaintiffs in *Brauch, et al. v. Intel*
22 *Corp.*, No. C 05-2743 (BZ) (N. D. Cal., filed July 5, 2005), a related matter, moved before the
23 Judicial Panel on Multi-District Litigation ("MDL"), to transfer and coordinate or consolidate for
24 pre-trial proceedings pursuant to 28 U.S.C. § 407 ("MDL Motion"), and the Juskiewicz Action
25 has been identified as a related action subject to that motion;

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1 WHEREAS, on or about October 4, 2005, Judge Patel issued a Related Case
2 Order relating this case to an earlier filed case assigned to her, and canceling or staying certain
3 but not all dates, events and deadlines in the action;

4 WHEREAS, to date, a decision has not been rendered on the MDL Motion;

5 WHEREAS, the outcome of the MDL Motion will impact significantly the
6 schedule of this case;

7 THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2,
8 by and among counsel for Plaintiff Juskiewicz, and counsel for Defendant Intel Corporation, that
9 any events, dates or deadlines set by the Local Rules or Federal Rules of Civil Procedure,
10 including the Local Rules for Alternative Dispute Resolution ("ADR Local Rules") and Federal
11 Rules of Civil Procedure 16 and 26, and any deadlines established in any case management order
12 applicable to this case should be stayed pending the outcome of the aforementioned MDL
13 Motion; and

14 IT IS FURTHER STIPULATED by the aforementioned parties that if a case
15 management conference is rescheduled by the Court, the parties shall adjust the dates for any
16 conference, disclosures or reports required by the Local Rules or Federal Rules of Civil
17 Procedure, including the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26
18 accordingly.

19 IT IS HEREBY STIPULATED.

20 Dated: October 28, 2005

TRUMP, ALIOTO, TRUMP & PRESCOTT

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By: /s/ Mario N. Alioto
Mario N. Alioto
Attorneys for Plaintiff
Karol Juskiewicz

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1 Dated: October 28, 2005

BINGHAM McCUTCHEN LLP

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By: /s/ Joy K. Fuyuno

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Joy K. Fuyuno

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Attorneys for Defendant

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Intel Corporation

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1 **[PROPOSED] ORDER TO STAY DATES, EVENTS AND DEADLINES**
2 **PENDING THE OUTCOME OF THE MDL MOTION**

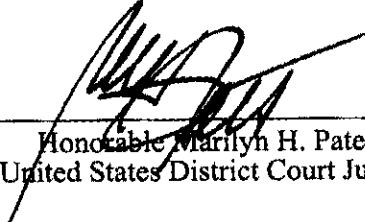
3 Any events, dates or deadlines set by the Local Rules or Federal Rules of Civil
4 Procedure, including the Local Rules for Alternative Dispute Resolution ("ADR Local Rules")
5 and Federal Rules of Civil Procedure 16 and 26, and any deadlines established in any case
6 management order applicable to this case are hereby stayed pending the outcome of the motion
7 to transfer and coordinate or consolidate pursuant to 28 U.S.C. § 1407 ("MDL Motion").

8 Upon the determination of the MDL Motion, if it is necessary for the Court to
9 reschedule a case management conference, the parties shall adjust the dates for any conference,
10 disclosures or reports required by the ADR Local Rules and Federal Rules of Civil Procedure 16
11 and 26 accordingly.

12 The parties shall notify the Clerk of Court within 10 days of the decision on the
13 MDL Motion.

14 **IT IS SO ORDERED.**

15 Dated: 10/31/05

16 
Honorable Marilyn H. Patel
United States District Court Judge

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